



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: May 17, 2022

TO: Honorable Council President Sean Elo-Rivera and Honorable City Councilmembers

FROM: David Nisleit, Chief of Police

SUBJECT: San Diego Police Department Update

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I would like to start by thanking you for the recent productive conversations we've had surrounding the needs of the Police Department to address the rising violence. We have been working with many of you and your teams on violence reduction plans and communicating with community members on what steps are being taken. Thank you for your collaboration and commitment to public safety.

Our officers are continuing to see increasingly dangerous situations and random acts of violence across our City, including the hostage incident in Tierrasanta, unprovoked shootings citywide, and other violent acts.

Our teams are continuing to do great work despite facing significant staffing challenges that will lead to the burn out of employees quickly and are not forecasted to improve unless changes are made swiftly, which I've outlined later in this memo.

I want to thank the Mayor for his support in fully funding our department in his Proposed Fiscal Year 2023 budget.

Please see below actions SDPD has taken since the last memo and what is in progress:

**Actions Taken**

The following are actions that have been taken since October 2021:

1. **Countywide Memorandum of Understanding:** A Countywide Memorandum of Understanding was announced for investigations of officer-involved shootings and other deadly force incidents to enhance transparency and legitimacy.

The MOU states SDPD will handle the homicide investigation for Officer-Involved Shootings for all agencies in San Diego County. The homicide investigation is what is presented to the District Attorney's Office to determine if the officers bear any criminal liability. Any internal investigation for compliance with department policies will still be handled by the officer's home agency.

The San Diego Sheriff's Department will conduct the homicide investigation for any SDPD officer-involved shootings. SDPD liaisons will be onsite to make sure all SDPD protocols are still followed. SDPD's internal investigation for compliance with department policies, the Shooting Review Board analysis, and community oversight review will still be performed by SDPD and the Independent Commission on Police Practices.

In an event where SDPD and SDSO are both involved in the same officer-involved shooting incident, the Chula Vista Police Department will handle the homicide investigation.

[Read the full MOU](#). It has also been posted to the SDPD website on the [Critical Incident Videos page](#).

2. **Passage of Military Equipment Funding, Acquisition and Use Policy (Assembly Bill 481):** SDPD presented and secured Council approval for its military equipment funding, acquisition and use policy and annual report in compliance with Assembly Bill 481.
3. **Began "Continued Professional Development Training":** SDPD added an additional 10-hours of mandatory training for all officers that covers topics including leadership, non-bias policing, gender identity and sexual orientation, as well as social media officer responsibilities. The training is anticipated to continue through 2023 until all officers have completed it. [San Diego Union-Tribune – March 21, 2022](#)
4. **Launched new SDPD website:** Over the past year, SDPD worked with the City's Communications Department and IT Web Team on updating the [Police Department's website](#) to make it easier for residents to navigate and find information, with an emphasis on transparency. The redesigned website launched in April and several additional improvements to continue making the website even better are already underway.
  - a. **Thank an Officer Form:** There are great stories we are getting every week due to our new Thank an Officer Form about the positive impact our officers are having on our communities. One stated:  
  
*"Officer Smith and Miller were assigned to Star/Pal when we first interacted. I was in 5th grade. Both Officers welcomed me with open arms into the program. With the struggles growing up in a lower-income neighborhood, they both kept me motivated to stay on the right path and away from trouble. Most of my so-called friends through those younger years were either joining gangs or choosing drugs, but those two officers went out of their way to keep me busy with sport camps and other activities. Long story short, 14 years later I am the Police Officer I am today because of the commitment they had for the community they served."*
5. **Reopening facilities to the public:** With life getting back to normal, SDPD was excited to reopen our Police Department Headquarters, Records Division and the Multi-Cultural Storefront once again to the public. Hours of operation may vary. Residents can [check specific locations](#) for current hours. Other substations will be reopened as staffing permits.

- 6. Released 2021 crime statistics:** SDPD compiles and submits the annual crime data for the City of San Diego to the Federal Bureau of Investigation as part of the Uniform Crime Reporting program. The 2021 statistics were presented to Council in March and are available on the [SDPD website](#) for residents to view.
- 7. Added hit & run reports to online reporting categories:** SDPD made online reporting possible for hit and run incidents where there are no injuries, no suspect information, no leads, and the report is only needed for insurance purposes. Other updates to make online crime reporting easier are coming soon.
- 8. Hosted Pave the Way Career Expo:** On April 23, SDPD hosted the Pave the Way Career Expo at Police Plaza to showcase both sworn and professional job opportunities within the department to potential candidates. The event featured 12 SDPD units and divisions and had 91 attendees.

New at this event, SDPD launched its Blue Arrow Program, which will mentor potential applicants to help them become better prepared for the hiring process. Often applicants face difficulties in the hiring process related to stable job history, education requirements, driving history, personal conduct such as social media, drug use (including marijuana), and minor arrests or offense history. The Blue Arrow Program aims to assist them in navigating those potential pitfalls well in advance and providing guidance that ultimately will enable them to join SDPD.

### **Actions in Progress**

The following are actions that are currently underway:

- 1. Planning to mitigate potential staffing challenges:**

#### **Overview**

SDPD is facing significant staffing challenges. The impact of these losses is evident in the Department's total sworn attrition and in its losses to other agencies, as noted by the Independent Budget Analyst in their [Review of the FY 2023 Proposed Budget](#). These losses per month have risen from 13 officers per month in the three previous fiscal years, to approximately 20 per month in the current fiscal year.

SDPD has already lost 210 sworn officers this fiscal year. When considering pending retirement and lateral transfer applications to outside agencies, SDPD is anticipated to lose at least 240 sworn officers. This is the most since FY09 when SDPD lost 264 officers.

#### **Causes**

Multiple factors can be attributed to the loss of police officers. According to City HR, among these reasons are retirements, laterals to other agencies, relocations due to cost-of-living, and the COVID-19 vaccine mandate.

The City of San Diego reacted more slowly to reasonable accommodations and testing than other agencies. While our City is still working through the reasonable accommodation process, other regional employers, including the County of San Diego

as our public health agency, have already ended their testing requirements for unvaccinated employees and removed their vaccination requirement for new hires.

As of May 17, approximately 84 officers who have left stated it was due to the vaccine mandate and/or testing protocols. More than 20 additional officers are in the process of potentially leaving.

The City has largely not required testing of its employees for over two years, even at the height of COVID infection rates, and continuing to do so now, puts the City at a great disadvantage for recruiting and retaining quality personnel across the board.

### Operational Impacts

Historically, SDPD's response to previous staffing challenges has been reducing patrol staffing across all divisions and reducing investigative units. Some units were eliminated entirely and never restored.

If staffing levels continue to fall, SDPD will have to also consider reducing or temporarily suspending its new ghost gun investigation team and sixth homicide team, Neighborhood Policing Division, Force Analysis Unit, motorcycle operations and traffic enforcement.

Patrol commands are already unable to meet recommended minimum staffing levels on a regular basis to address reported increases in crime.

When added up, these factors could contribute to communities experiencing even greater delays in officer response times, suspects potentially getting away with violent crimes, and victims waiting longer for justice.

### Solutions

Despite our Recruiting Unit's best efforts on a limited budget, recruiting new officers is time-consuming, costly and proving very difficult. SDPD had 921 fewer applicants in 2021 as compared to 2020.

Ending the mandate and testing requirements, in alignment with other municipalities across the region, would likely slow the number of officers leaving and potentially entice others to return.

SDPD leadership has been working to develop a list of ideas for Mayor's Office consideration for recruitment and retention, some of which may come with additional investment needs.

We will keep you apprised of the situation if we must implement contingency plans should staffing levels continue to decrease at this rate.

2. **Privacy Ordinance:** The City's negotiations team is wrapping up meet-and-confer on the privacy ordinance. Upon completion of that process, the ordinance will be forwarded to the Council for a second reading. Afterward, the Mayor's Office plans on reactivating technologies that were sidelined while the ordinance was pending final approval.

The privacy ordinance is very complex and SDPD has spent countless hours reviewing its potential impacts and analyzing the cities where similar ordinances have been passed. San Diego's ordinance will be time and staff intensive to implement and achieve compliance.

For instance, Seattle's surveillance ordinance defines surveillance in such a way as to only impact 20 technologies within its police department, whereas San Diego's ordinance will impact over 220 technologies used by SDPD alone. Technologies by other departments will also need to be reviewed and evaluated.

SDPD does not have the sworn or civilian staffing to achieve compliance, and its implementation will likely threaten SDPD's ongoing participation in federal task forces. SDPD will partner as best it can with the City's Compliance Department should it move forward, however, feels that in its current form, the ordinance is flawed and requires amendments.

3. **Addressing violence throughout San Diego:** Violence has been on the rise throughout the nation and here in San Diego. SDPD officers are recovering more guns through proactive police work than ever before. SDPD is taking action to address it by increasing police patrols in areas of frequent violence, heightened awareness and monitoring of certain areas on known gang activity days and continuing proactive policing techniques.
4. **Facilitating community walks:** SDPD is coordinating several community walks over the next few months to continue strengthening the relationship between the department and our communities. The first was held with Councilmember Chris Cate in Mira Mesa, with plans for a walk in Hillcrest with our LGBTQ liaison officers, among others. We will invite Council offices as more walks and details are finalized.
5. **Establishing a voucher program for minor equipment violations:** SDPD is working to establish a program where an officer can offer a voucher to an individual in lieu of a citation for minor equipment violations, such as broken headlights or taillights. This program is already being utilized in agencies across the country. It is a minimal cost for the great reward of safer vehicles on our roads and residents pleasantly surprised with a fix-it solution instead of a financial burden. The department will provide information to Council as the program continues to be developed.
6. **Providing promotional testing opportunity:** SDPD will be offering its promotional tests for the ranks of Detective, Sergeant and Lieutenant. The process consists of a written exam and an oral interview. The list of those who pass will then allow us to promote officers quickly when new detective and sergeant positions become available as other officers promote or leave the department. The last testing cycle occurred in 2020 and those lists have been exhausted.
7. **Assisting with City audits:** SDPD is assisting the Office of the City Auditor in their review of SDPD's policies and procedures regarding body-worn cameras.
8. **Gearing up for holiday weekends and a busy summer:** SDPD is gearing up for a busy summer which includes several holiday weekends. We anticipate large crowds at our parks, beaches, restaurants and bars and roadways with San Diegans and visitors alike looking to get out after the past two years of COVID restrictions.

- 9. Monitoring organized theft group:** SDPD has been working with local, state and federal partners to monitor an organized theft group that has been burglarizing homes countywide. There have been as many as 20 cases in the La Jolla area. SDPD Northern Division increased its presence in the area and a public awareness campaign is ongoing at community meetings to assist residents in knowing how to protect their homes.

In conclusion, I will remain in close communication with all of you and City leadership regarding public safety and the needs of SDPD to continue to serve our residents.

Sincerely,



David Nisleit  
Chief of Police

cc: Honorable Mayor Todd Gloria  
Honorable City Attorney Mara W. Elliott  
Paola Avila, Chief of Staff, Office of the Mayor  
Jay Goldstone, Chief Operating Officer  
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